

11/07/2017

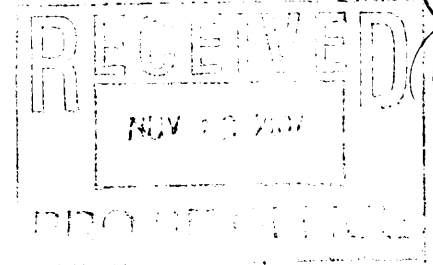
U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:17-cv-00688-LDH-CLP

"Amended Complaint" Docket NO 1 17-cv-LDH-CLP

ORIGINAL

GEORGE FUL NINYING
2024 Hughes Ave, #5C
Bronx, NY 10457
917-689-2047
PRO SE

Plaintiff,



G.F.M.

MEMORANDUM AND ORDER

-against-

17 CV 688 (LDH) (CLP)

Fire Department, City of New York / NYC Law Department
100 Church Street, 4th Floor
New York, NY 10007
212-356-2387
Email: lperelma@law.nyc.gov

Defendant

Reference: **BACKGROUND** (Page 1)

I filed a petition of Employment discrimination with the EEOC and was told that it will be investigated and if the parties do not accept resolving the issue by Mediation I will have to file a discrimination Suit for remedy. I did not expect the Fire Department to mediate the second time when they did not respect the first

Mediation agreement with the EEOC. I will like the Court to **subpoena the records of the case from the Fire Department**. The EEOC prohibits an employer from retaliating against an employee who registers an internal grievance, files a complaint with the EEOC, or participates in an investigation into illegal discrimination. After about a year the EEOC determined that they could not mediate the case and quoted the Fire Department EEO; thus I could sue the department which I did. In the First Mediation with the Fire Department, it was determined that I should be hired as a Principal Administrative Associate which they did not for more than 4 years while hiring Provisionals on that Title for several positions. I did not recover my Legal Representation expenses. **This is Factual**. The investigation did not find that fact. Page 2 of the court's letter under **DISCUSSION** states "A Claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." Therefore this establishes that I do have a case.

Reference : **Paragraph III Plaintiff's Discrimination Claims**. (Page 4) Objection.

"There is **no Allegations** suggesting that the defendant acted in a discriminatory manner based on the Plaintiff's Age".

(ADEA) Equal Employment Opportunity Act of 1972 Amended.

Uniform Guidelines on Employee Selection Procedures (1978) (29 CFR Part 1607). The Employer did not follow the Civil Service Regulation guidelines of the 1 in 3 Rule because of my Age. I was skipped from number 4 in the List of 36 candidates. All were hired except me and many more Provisionals were hired. I was and I am close to retirement as noted in the last line of page 1 of the court's letter. My Compensation is reflected in my pension, social security contributions and Welfare Fund. Employee Retirement Income Security Act of 1974 (ERISA). In this predicament, I started whistleblowing and the FDNY staged a self dealing **retaliatory collusion hire** against me. This is what I **allege**.

AMENDED COMPLAINT:

I hereby file an Amendment of this petition, to seek redress under the Equal Employment Opportunity Act as it relates to Hiring, Promotions, Disparate

Treatment, Protected Class, Marital Status, National Origin, Retaliation and other compensation practices.

Hiring and Promotions: The Fire department after a **Harassment and Hazing work environment** wrongfully terminated my probation and demoted me without cause alleging that a probationer does not have the protection offered under due process. The Fire Department was cognizant of the fact that I was on an established promotion List for the Civil Service Title of Administrative Manager and they went out precariously and maliciously to foil my promotion efforts. I have worked for the Fire Department Administration for 15 years with good evaluations and have a solid understanding of EMS, Fire Fighting and Fire Inspections relationship of the **Administrative and the Emergency Services. (Exhibit 1)** While my case was being investigated, I requested to be put on an entry level Open Competitive PAA list with DCAS (**Exhibit 2**) and was called to the Sanitation where I accepted the position.

By accepting the position, DCAS did not transfer my civil service Inter-Agency mobility with respect to the established civil service list of Administrative Managers. So while I am with the Sanitation Department, I am Listed for promotion in the Fire Department where I am considered to have terminated my employment by accepting a position at the Sanitation department.

Marital Status / Disparate Treatment / Protected Class: The fact that my spouse is African American, the hiring and promotion rules were intentionally applied to me differently with more **inhibiting effect on employee development and career advancement. I am a Black Minority thus of a Protected class.**

National Origin: DCAS offers Selective Certification for candidates who speak and Read other languages than English. I am Bilingual French and English, a **Bona fide occupational qualification** by virtue of my National Origin.

CONCLUSION: I will like to draw the attention of the judge to the fact that this is not an isolated petition. While the Defendant requested time Extension to investigate and file a respond to this case, I had another case

of which the decision was pending on Article 78 in the supreme court against the defendant. This may shed some light to this petition. The defendant in a **concurrent related case on Article 78** which I filed PRO SE because I took and **passed over 100%** with credit for seniority, the **Associate Contract Specialist**, DCAS refused to Certify me on the established list. If they did, I will not be here seeking remedy because my situation would have been remedied. The retirement clock does not stop ticking on Age. The court did not send me notice of a trial date, nor did the defendant by mail by mail or email. I had a phone call from **the Clerk of the Court at 11 AM notifying me that the Case was called** but I was not there and did not have to do anything because the Judge would decide it on the petition and the Defendant's deposition. There was no opportunity for cross examination, objection or rebuttal of the Defendant's respond. A summary judgement was made in favor of the defendant.(**Exhibit 3**)

With an understanding of the underlying background of this case, I think it will not only be fair to grant my petition and Benchmark my Compensation to match the Classification and Compensation paid by the Fire Department to other PAAs' (Principal Administrative Associates) (**Exhibit 4**) but to help discourage such a systemic way of abusing Authority.

I will be in Court on 11/15/2017 at 3:00 PM as scheduled for an initial conference before the Judge.

Respectfully,

A handwritten signature in black ink that reads "George Ful Ninying." The signature is written in a cursive, flowing style.

Plaintiff: George Ful Ninying.

Cc.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

FOR IMMEDIATE RELEASE

January 16, 2008

No. 15

www.nyc.gov

**MAYOR BLOOMBERG AND FIRE COMMISSIONER SCOPPETTA PRESIDE OVER
GRADUATION CEREMONY FOR 274 PROBATIONARY FIREFIGHTERS**

First Graduating Class to Complete New Expanded 23-Week Training Program

Mayor Michael R. Bloomberg and Fire Commissioner Nicholas Scoppetta today presided over a graduation ceremony for 274 Probationary Firefighters. The new firefighters, known as "probies," graduated after completing the rigorous 23-week training program at the Department's Fire Academy located on Randall's Island. This class was the first to receive 10 additional weeks of training as part of last year's unprecedented expansion of the Fire Academy. The previous graduating class received 18 weeks of training. Several hundred family members, friends and fellow firefighters joined the Mayor and the Commissioner to congratulate the second class of 2007 at the ceremony held at the Colden Auditorium at Queens College.

Usually
18 weeks

"Today, you join the storied ranks of the greatest fire department that has ever existed," said Mayor Bloomberg. "This class has received more advanced training than any other in the City's history, and I am confident the skills you learned will better prepare you to handle any type of emergency, anywhere, at any time. Millions of New Yorkers depend on the Bravest, and I commend you for accepting such a challenge and choosing such an honorable career."

"Becoming a New York City firefighter means the willingness to risk your life to save the life of another, and this class understands that commitment more than most," said Commissioner Scoppetta. "Decades ago, new members worked in a firehouse under the mentorship of an officer before they received any formal training. Today, you have completed 23 weeks of the most advanced training available, and your reward is the greatest job in the world."

Among today's graduates are Probationary Firefighter Matthew Pudjak whose brother, Firefighter Daniel F. Pudjak of Ladder Company 146, died in the line of duty on June 21, 2007, while operating at a fire in East Williamsburg, Brooklyn, and Probationary Firefighter Scott LaPiedra, whose father, Captain Scott LaPiedra of Ladder Company 176, died on July 4, 1998, nearly a month after sustaining critical injuries while battling a fire in East New York, Brooklyn on June 5. Probationary Firefighter Robert Wallace lost his father, Lieutenant Robert Wallace of Engine Company 205, who responded to the World Trade Center on September 11, 2001.

(more)

Twenty-two members of the class are veterans of the U.S. military, including nine of whom have served in Operation Enduring Freedom in Afghanistan and/or Operation Iraqi Freedom in Iraq. The class represents multiple branches of the armed forces including: Daniel Abramowski (Navy), Cody Baker (USMC), Dale Catlett (Air Force), Thomas Christensen (Coast Guard), Jeffrey Daniels (Air Force), Joseph Ferris (USMC), Richard Garcia (Coast Guard), Philip Giordano (Army), Kevin Hallinan (Army), Kievon Harper (Coast Guard), Thomas Herrick (Coast Guard), Edward Kelly (Air Force), Adam Matos (Air Force), Anthony Mazzariello (USMC), Christopher Muccini (USMC), Michael Mulhall (Navy), Michael Mullins (Air Force), Oscar Robles (Air Force), Michael Schmidt (USMC), Timothy Tamburello (Army), Joel Van Wieren (Army) and Daniel Walsh (Coast Guard).

Forty-six members of the class have fathers who are active or retired FDNY members, including Probationary Firefighter Dennis Moriarty, whose father, Edward Moriarty, served as the Chief of Personnel. Probationary Firefighters Michael Abbott, Philip Darcey, Edward Kelly and Robert Wallace become the third generation of their families to graduate from the Academy.

The Mayor congratulated Probationary Firefighter Kristopher Grills for being today's class valedictorian. Probationary Firefighter Michael Liverani was the class salutatorian. The Physical Fitness Award was given to Probationary Firefighter Hugh Barr.

With 10 weeks of training added to the previous 13-week program at the Fire Academy, the Probationary Firefighters learned a variety of firefighting techniques, including hazardous materials training, aimed at increasing firefighter safety. Additional training hours were devoted to engine and ladder operations, fire prevention, building construction and building inspection. The Probationary Firefighters will now be assigned to firehouses throughout the City, where they will gain field experience under the guidance of senior firefighters and officers.

While at the Fire Academy, the Probationary Firefighters raised \$2,000 for the family of Lieutenant John H. Martinson of Engine Company 249 who made the Supreme Sacrifice while operating at a fire in Brooklyn on January 3, 2008. They raised another \$2,000 to help cover expenses for a firefighter assigned to the Academy whose wife is in need of a lung transplant.

- 30 -

Contact:	Stu Loeser / Jason Post	(212) 788-2958
	Francis X. Gribbon (FDNY)	(718) 999-2056

Exhibit 2.**Department of Finance****NOTICE OF HIRING POOL**

December 29, 2015

List No: 1432.000

GEORGE F NINYING
1947 POWELL AVENUE
Suite 2
BRONX, NY 10472

Interview Date:	Jan. 12, 2016 and/or Jan. 13, 2016
Interview Time:	By Appointment Only
Title:	Principal Administrative Associate I
Exam No:	8068
Tenure of Employment:	Probable Permanent
Salary:	\$41,810 / *\$48,082 ##
Locations:	Citywide

*Minimum salary for current NYC employees with 2+ years of continuous City service.

##Posted salary is Non-Negotiable

Dear Eligible:

Your name has been certified by the NYC Department of Citywide Administrative Services to The Department of Finance for consideration of possible appointment to the position listed above.

If you are interested in being considered for appointment at this time, **please contact Tony Lee at (212) 291-4753 or Florence Mallette at (212) 291-4762, no later than Wednesday, January 6, 2016 by 4:30 PM, to schedule an interview time.** Interviews will be held on **Tuesday, January 12, 2016 and/or Wednesday, January 13, 2016 (by appointment only)** at the **Brooklyn Municipal Building, 210 Joralemon Street, 2nd Floor, Brooklyn, NY 11201.**

Travel directionsBy Subway

2, 3, 4, & 5, to Borough Hall

By Bus:

B25, B26, B38, B41, B45, and B52

Eligibles will be interviewed in the order that their names appear on the eligible list. There is no guarantee that your attendance at the pool will result in a job offer. There will be security screening, so please arrive at least a half hour before your appointment time with photo identification and this letter.

Be prepared to spend enough time at the pool to complete the interview process. It is imperative that you arrive by the scheduled appointment time or you may be denied entrance to the pool.

Please bring the following with you: (1) A valid photo ID, (2) this notice, (3) **five** copies of your current resume.

If you currently work for a NYC agency and desire to be appointed by your agency, you are strongly advised to contact your HR department prior to attending the pool.

If you do not wish to be considered for this position, please complete the declination form on the reverse side of this letter.

DECLINATION/RESTORATION

Be advised that, if you **do not wish** to be considered for the position or **fail** to attend the hiring pool, your name will be **removed** from the eligible list.

Please complete the form below and return within five days to:

New York City Department of Finance
66 John Street, 9th Floor
New York, NY 10038
Attn: Tony Lee

Name: _____

Principal Administrative Associate, Exam No. 8068, List No: 1432.000

I decline to be considered for the position [☐] I did not attend the hiring pool [☐]

Reason: _____

Request restoration to the eligible list: Yes [☐] No [☐]

Last 4 digits of Social Security Number: _____

Signature: _____ Date: _____

You may request restoration to the list by writing to: **NYC Department of Citywide Administrative Services (DCAS), Certification Unit, 1 Centre Street 21st Floor, Room 2150, New York, NY 10007**. Please note that you can only be restored to the list while it remains in existence and for a maximum of three restorations. Therefore, you should only request restoration when you are ready to be considered for a position.

If you are serving on active military duty when you receive this letter and are interested in being considered for appointment, please contact the DCAS Certification Unit, when you are released from active duty.

GEORGE F NINYING
1947 POWELL AVENUE
Suite 2
BRONX, NY 10472

Exhibit 3

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. BARBARA JAFFE

Justice

PART 12GEORGE FUL NINYING,

Petitioner,

INDEX NO. 101739/2016

MOTION DATE _____

- v -

MOTION SEQ. NO. 001

DIRECTOR OF OPERATIONS, DCAS OFFICE OF THE
GENERAL COUNSEL, 1 CENTRE STREET 19TH
FLOOR NEW YORK, NY 10007.

DECISION AND JUDGMENT

Respondents.

Petitioner seeks, pursuant to Article 78, a judgment reversing a decision of the Civil Service Commission (CSC). Respondent opposes and cross-moves to dismiss the petition on the ground that petitioner failed to join the CSC as a necessary party to the action.

In an article 78 proceeding, the agency that performed the challenged action is a necessary party, and failure to join it constitutes grounds for dismissal. (*Matter of White v County of Sullivan*, 101 AD3d 1552 [3d Dept 2012], *lv dismissed* 21 NY3d 988 [2013]; *Matter of Solid Waste Servs., Inc. v New York City Dept. of Envtl. Prot.*, 29 AD3d 318, 319 [1st Dept 2006], *lv denied* 7 NY3d 710).

As the CSC rendered the challenged decision, and petitioner failed to join it here, the proceeding is dismissed. (*See Matter of Centeno v City of New York*, 115 AD3d 537, 537 [1st Dept 2014] [petition seeking annulment of CSC's decision dismissed for failure to timely serve CSC, agency which made challenged decision]). In light of this determination, I do not consider the petition's merits. Accordingly, it is hereby

ORDERED and ADJUDGED, that the petition is denied, and the proceeding dismissed; and it is further

ORDERED, that respondents' cross motion to dismiss is granted.

10/19/2017

DATE

BARBARA JAFFE, J.S.C.

CHECK ONE:

☒ CASE DISPOSED
☐ GRANTED

☒ DENIED

☐ NON-FINAL DISPOSITION
☐ GRANTED IN PART

☐ OTHER

Exhibit 4

Home Sign Out

Menu
Employee Self Service
Personal Information
Payroll and Compensation
Health Benefits
Recruiting Activities
Print Online CPD-B
Careers
Interview Evaluations
Verification Letters
View My Leave Statements
Manager Self Service
Change My Password
Reset Security Questions



FIRE DEPARTMENT Job Posting Notice

Job ID: 228724 # of Positions: 1

Business Title: FDNY ENVIRONMENTAL CONTROL BOARD REPRESENTATIVE

Civil Service Title: PRINCIPAL ADMINISTRATIVE ASSOC

Title Code No: 10124 Level: 03

Job Category: Clerical & Administrative Support

Career Level: Experienced (non-manager)

Proposed Salary Range: \$ 51,753.00 - \$ 79,091.00 (Annual)

Work Location: 9 Metrotech Center, Brooklyn N

Division/Work Unit: Legal-Office of the Counsel

[Apply Now](#)

[Return to Previous Page](#)

Job Description

The Principal Administrative Associate, L-III will serve as the Fire Department Environmental Control Board (ECB) representative representing the Department in ECB hearings throughout the five boroughs of New York City; articulates arguments in a clear and persuasive manner and responds to inquiries or arguments of hearing officers, respondents and respondent representatives; conducts research related to ECB cases, including FPIMS and BIS research; completes hearing forms, case dispositions, ownership searches and other documentation; tracks, reviews and analyzes ECB decisions; researches and prepares information for appeals of ECB decisions; assists the Supervisor of Environmental Control Board Affairs and the Director of Enforcement with the creation and implementation of Unit policies and procedures; liaison with other Bureaus in the Department in connection with Unit operations; attend meetings related to FDNY enforcement and Bureau of Legal Affairs matters.

Minimum Qual Requirements

1. A baccalaureate degree from an accredited college and three years of satisfactory full-time progressively responsible clerical/administrative experience, one year of which must have been in an administrative capacity or supervising staff performing clerical/administrative work of more than moderate difficulty; or
2. An associate degree or 60 semester credits from an accredited college and four years of satisfactory full-time progressively responsible clerical/administrative experience including one year of the administrative supervisory experience described in "1" above; or
3. A four-year high school diploma or its educational equivalent approved by a State's department of education or a recognized accrediting organization and five years of satisfactory full-time progressively responsible clerical/administrative experience including one year of the administrative supervisory experience as described in "1" above;
4. Education and/or experience equivalent to "1", "2", or "3" above. However, all candidates must possess the one year of administrative or supervisory experience as described in "1" above. Education above the high school level may be substituted for the general clerical/administrative experience (but not for the one year of administrative or supervisory experience described in "1" above) at a rate of 30 semester credits from an accredited college for 6 months of experience up to a maximum of 3½ years.

Preferred Skills

Expertise in the Fire Code and NFPA. Broad knowledge of New York City Building Code and Fire Department Rules. Knowledge of the Fire Prevention Management Information System (FPIMS). Computer literate in Microsoft Office. Excellent writing, interpersonal and communication skills; demonstrate legal judgment; detail oriented. Must be able to demonstrate the ability to work independently.

Additional Information

This position is only open to applicants with the permanent status in the title of Principal Administrative Associate.

To Apply

Click the apply now button.

Residency Requirement

New York City residency is generally required within 90 days of appointment. However, City Employees in certain titles who have worked for the City for 2 continuous years may also be eligible to reside in Nassau, Suffolk, Putnam, Westchester, Rockland, or Orange County. To determine if the residency requirement applies to you, please discuss with the agency representative at the time of interview.

POSTING DATE: 02/11/2016

POST UNTIL: Until Filled

Handwritten signature and initials.

Exhibit 4Administrative Managers List

Citywide Administrative
Services

DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES**DIVISION OF CITYWIDE PERSONNEL SERVICES**One Centre Street, 21st Floor

New York, NY 10007

Once your request has been processed, you will receive a letter of confirmation. Please note, a request for restoration can only be effectuated when a new request for the same exam # and title is certified. Should you have any questions please call the interactive voice response system at (212) 669-1357.

From FDNYThank You,
Certification UnitExam # 5516List # 50.50

Date _____

50104201The Official New York City Web Site • www.nyc.gov

2017 11 13 15:14:21



Patrick Sanford
Federal Investigator

33 Whitehall Street, 5th Floor
New York, NY 10004-2167
(212) 336-3677 Fax: (212) 336-3624

MENT OPPORTUNITY COMMISSION
k District Office – INTAKE
Whitehall Street, 5th Floor
New York, NY 10004

This agency enforces the laws against discrimination in employment based on race, color, religion, national origin, age, sex, disability, or genetic information. The event you are complaining about must have occurred within a maximum of 300 days of the filing of a charge. Our jurisdiction covers public and private employers with 15 or more employees (20 or more employees for age complaints), labor unions, and employment agencies located in New York State south of Albany. If you work for the Federal Government, you must first contact your agency's Equal Employment Office in order to file a complaint.

To better serve your interest and avoid delays in processing your complaint, please answer the following questions:

NAME: GEORGE FUL NINYING.

TEL. NO. WHERE WE CAN CONTACT YOU: (917) 689-2047

A. What was the Latest or Most Recent Date of discrimination which you are alleging?

11/10/2015

B. Does your employer have fewer than 15 employees (20 for age complaints)?

Yes ☐ No ☒ How many employees? ABOVE 1000

C. Have you filed a complaint with another agency (such as the New York State Division of Human Rights or the New York City Commission on Human Rights)?

Yes ☐ No ☒

If Yes, Name of agency and date of filing:

D. Do you work for a Federal Government Agency (Such as the U.S. Postal Service)?

Yes ☐ No ☒

*****IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE SEE THE RECEPTIONIST, AS THE EEOC MAY NOT HAVE JURISDICTION OVER YOUR CLAIMS**

If you answered NO to the above questions, please fill out the questionnaire and return it the receptionist, who will give you further instructions about our procedures.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office – INTAKE
33 Whitehall Street, 5th Floor
New York, NY 10004

This agency enforces the laws against discrimination in employment based on race, color, religion, national origin, age, sex, disability, or genetic information. The event you are complaining about must have occurred within a maximum of 300 days of the filing of a charge. Our jurisdiction covers public and private employers with 15 or more employees (20 or more employees for age complaints), labor unions, and employment agencies located in New York State south of Albany. If you work for the Federal Government, you must first contact your agency's Equal Employment Office in order to file a complaint.

To better serve your interest and avoid delays in processing your complaint, please answer the following questions:

NAME: GEORGE FUL NINYING.

TEL. NO. WHERE WE CAN CONTACT YOU: (917) 689-2047

A. What was the Latest or Most Recent Date of discrimination which you are alleging?

11/10/2015

B. Does your employer have fewer than 15 employees (20 for age complaints)?

Yes ☐ No ☒ How many employees? ABOVE 1000

C. Have you filed a complaint with another agency (such as the New York State Division of Human Rights or the New York City Commission on Human Rights)?

Yes ☐ No ☒

If Yes, Name of agency and date of filing:

D. Do you work for a Federal Government Agency (Such as the U.S. Postal Service)?

Yes ☐ No ☒

*****IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE SEE THE RECEPTIONIST, AS THE EEOC MAY NOT HAVE JURISDICTION OVER YOUR CLAIMS**

If you answered NO to the above questions, please fill out the questionnaire and return it the receptionist, who will give you further instructions about our procedures.

520-2016-02841



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

RECEIVED
2016 JUN 30 PM 11:18
NEW YORK DISTRICT OFFICE

Please immediately complete this entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, within 180 days or in some places within 300 days of the alleged discrimination. When we receive this form, we will review it to determine EEOC coverage. Answer all questions completely, and attach additional pages if needed to complete your responses. If you do not know the answer to a question, answer by stating "not known." If a question is not applicable, write "N/A." (PLEASE PRINT)

1. Personal Information

Last Name: NINYING First Name: GEORGE MI: F.
Street or Mailing Address: 1947 Powell Ave Apt or Unit #: _____
City: Bronx County: BRONX State: NY Zip: 10472
Phone Numbers: Home: (917) 689-2047 Work: () _____
Cell: 917 689-2047 Email Address: grinying@dny.nyc.gov
Date of Birth: 01-18-1957 Sex: ☒ Male ☐ Female Do You Have a Disability? ☐ Yes ☒ No

Please answer each of the next three questions. i. Are you Hispanic or Latino? ☐ Yes ☒ No

ii. What is your Race? Please choose all that apply. ☐ American Indian or Alaskan Native ☐ Asian ☐ White
☒ Black or African American ☐ Native Hawaiian or Other Pacific Islander

iii. What is your National Origin (country of origin or ancestry)? CAMEROON

Please Provide The Name Of A Person We Can Contact If We Are Unable To Reach You: N/A

Name: _____ Relationship: _____
Address: _____ City: _____ State: _____ Zip Code: _____
Home Phone: () _____ Other Phone: () _____

2. I believe that I was discriminated against by the following organization(s): (Check those that apply)

☒ Employer ☐ Union ☐ Employment Agency ☐ Other (Please Specify) F.D.N.Y.

Organization Contact Information (If the organization is an employer, provide the address where you actually worked. If you work from home, check here and provide the address of the office to which you reported.) If more than one employer is involved, attach additional sheets.

Organization Name: F.D.N.Y.
Address: 9 Metrotech Ctr County: _____
City: Brooklyn State: NY Zip: 11201 Phone: (718) 999-2164
Type of Business: Local Government Job Location if different from Org. Address: _____

Human Resources Director or Owner Name: Assistant Commissioner Phone: (718) 999-2164

Number of Employees in the Organization at All Locations: Please Check () One

☐ Fewer Than 15 ☐ 15 - 100 ☐ 101 - 200 ☐ 201 - 500 ☒ More than 500

3. Your Employment Data (Complete as many items as you are able.) Are you a federal employee? ☐ Yes ☐ No

Date Hired: 12-11-2000 Job Title At Hire: CLERICAL ASSOCIATE
Pay Rate When Hired: \$25,000/yr. Last or Current Pay Rate: \$1552.13 Bi-weekly.
Job Title at Time of Alleged Discrimination: Principal Admin Assoc. Date Quit/Discharged: 11/10/2015
Name and Title of Immediate Supervisor: MARC SOLARIS - Lieutenant
QUEENAN, DONAY - Asst. Commissioner

If Job Applicant, Date You Applied for Job N/A Job Title Applied For _____**4. What is the reason (basis) for your claim of employment discrimination?**

FOR EXAMPLE, if you feel that you were treated worse than someone else because of race, you should check the box next to Race. If you feel you were treated worse for several reasons, such as your sex, religion and national origin, you should check all that apply. If you complained about discrimination, participated in someone else's complaint, or filed a charge of discrimination, and a negative action was threatened or taken, you should check the box next to Retaliation.

☐ Race ☐ Sex ☐ Age ☐ Disability ☐ National Origin ☐ Religion ☒ Retaliation ☐ Pregnancy ☐ Color (typically a difference in skin shade within the same race) ☐ Genetic Information; circle which type(s) of genetic information is involved: i. genetic testing ii. family medical history iii. genetic services (genetic services means counseling, education or testing)

If you checked color, religion or national origin, please specify: _____

If you checked genetic information, how did the employer obtain the genetic information? _____

Other reason (basis) for discrimination (Explain): EEO. Complaint # 520-2012-0113

5. What happened to you that you believe was discriminatory? Include the date(s) of harm, the action(s), and the name(s) and title(s) of the person(s) who you believe discriminated against you. Please attach additional pages if needed.
(Example: 10/02/06 – Discharged by Mr. John Soto, Production Supervisor)

A. Date: 11/10/2015 Action: Retaliation for filing EEO. Complaint and cover up - collusion scheme for my classification unethical.

Name and Title of Person(s) Responsible: _____

B. Date: 11/10/2015 Action: Demotion without consideration of Principal Administrative Associate Classification Exams

Name and Title of Person(s) Responsible: Aurora Perez - Civilian Personnel Manager

6. Why do you believe these actions were discriminatory? Please attach additional pages if needed.

My EEO Complaint # 520-2012-0113A which was not conclusive after mediation.

7. What reason(s) were given to you for the acts you consider discriminatory? By whom? His or Her Job Title?

No Reason.

8. Describe who was in the same or similar situation as you and how they were treated. For example, who else applied for the same job you did, who else had the same attendance record, or who else had the same performance? Provide the race, sex, age, national origin, religion, or disability of these individuals, if known, and if it relates to your claim of discrimination. For example, if your complaint alleges race discrimination, provide the race of each person; if it alleges sex discrimination, provide the sex of each person; and so on. Use additional sheets if needed.

N/A**Of the persons in the same or similar situation as you, who was treated better than you?**

Full Name	Race, sex, age, national origin, religion or disability	Job Title	Description of Treatment
-----------	---	-----------	--------------------------

A. _____

B. _____

Of the persons in the same or similar situation as you, who was treated *worse* than you?

<u>Full Name</u>	<u>Race, sex, age, national origin, religion or disability</u>	<u>Job Title</u>	<u>Description of Treatment</u>
------------------	--	------------------	---------------------------------

A. _____

B. _____

Of the persons in the same or similar situation as you, who was treated the *same* as you?

<u>Full Name</u>	<u>Race, sex, age, national origin, religion or disability</u>	<u>Job Title</u>	<u>Description of Treatment</u>
------------------	--	------------------	---------------------------------

A. _____

B. _____

Answer questions 9-12 only if you are claiming discrimination based on disability. If not, skip to question 13. Please tell us if you have more than one disability. Please add additional pages if needed. N/A.

9. Please check all that apply:

- ☐ Yes, I have a disability
☐ I do not have a disability now but I did have one
☐ No disability but the organization treats me as if I am disabled

10. What is the disability that you believe is the reason for the adverse action taken against you? Does this disability prevent or limit you from doing anything? (e.g., lifting, sleeping, breathing, walking, caring for yourself, working, etc.).

11. Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability?

☐ Yes ☐ No

If "Yes," what medication, medical equipment or other assistance do you use?

12. Did you ask your employer for any changes or assistance to do your job because of your disability?

☐ Yes ☐ No

If "Yes," when did you ask? _____ How did you ask (verbally or in writing)? _____

Who did you ask? (Provide full name and job title of person)

Describe the changes or assistance that you asked for: _____

How did your employer respond to your request? _____

13. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and tell us what they will say. (Please attach additional pages if needed to complete your response) N/A

Full Name	Job Title	Address & Phone Number	What do you believe this person will tell us?
A. _____			
B. _____			

14. Have you filed a charge previously on this matter with the EEOC or another agency? ☒ Yes ☐ No

15. If you filed a complaint with another agency, provide the name of agency and the date of filing: _____

16. Have you sought help about this situation from a union, an attorney, or any other source? ☒ Yes ☐ No
Provide name of organization, name of person you spoke with and date of contact. Results, if any?

Communications Workers of America CWA-Local 1180
Grievance Rep.

Please check one of the boxes below to tell us what you would like us to do with the information you are providing on this questionnaire. If you would like to file a charge of job discrimination, you must do so either within 180 days from the day you knew about the discrimination, or within 300 days from the day you knew about the discrimination if the employer is located in a place where a state or local government agency enforces laws similar to the EEOC's laws. If you do not file a charge of discrimination within the time limits, you will lose your rights. If you would like more information before filing a charge or you have concerns about EEOC's notifying the employer, union, or employment agency about your charge, you may wish to check Box 1. If you want to file a charge, you should check Box 2.

BOX 1 ☐ I want to talk to an EEOC employee before deciding whether to file a charge. I understand that by checking this box, I have not filed a charge with the EEOC. I also understand that I could lose my rights if I do not file a charge in time.

BOX 2 ☒ I want to file a charge of discrimination, and I authorize the EEOC to look into the discrimination I described above. I understand that the EEOC must give the employer, union, or employment agency that I accuse of discrimination information about the charge, including my name. I also understand that the EEOC can only accept charges of job discrimination based on race, color, religion, sex, national origin, disability, age, genetic information, or retaliation for opposing discrimination.

George Ful Mingy.
Signature

06/30/2016
Today's Date

PRIVACY ACT STATEMENT: This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

- 1) FORM NUMBER/TITLE/DATE. EEOC Intake Questionnaire (9/20/08).
- 2) AUTHORITY. 42 USC § 2000e-5(b), 29 USC § 211, 29 USC § 626, 42 USC § 12117(a), 42 USC § 2000ff-6.
- 3) PRINCIPAL PURPOSE. The purpose of this questionnaire is to solicit information about claims of employment discrimination, determine whether the EEOC has jurisdiction over those claims, and provide charge filing counseling, as appropriate. Consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(c), this questionnaire may serve as a charge if it meets the elements of a charge.
- 4) ROUTINE USES. EEOC may disclose information from this form to other state, local and federal agencies as appropriate or necessary to carry out the Commission's functions, or if EEOC becomes aware of a civil or criminal law violation. EEOC may also disclose information to respondents in litigation, to congressional offices in response to inquiries from parties to the charge, to disciplinary committees investigating complaints against attorneys representing the parties to the charge, or to federal agencies inquiring about hiring or security clearance matters.
- 5) WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. Providing this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge. It is not mandatory that this form be used to provide the requested information.